

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)	
WORLDXCHANGE CORP., D/B/A ACCERIS)	
COMMUNICATIONS SOLUTIONS, D/B/A ACCERIS)	
COMMUNICATIONS PARTNERS, AND D/B/A ACCERIS)	
LOCAL COMMUNICATIONS, FOR A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	PSC DOCKET NO. 04-61
TO PROVIDE LOCAL EXCHANGE TELECOMMUNICA-)	
TIONS SERVICES WITHIN THE STATE OF)	
DELAWARE, AND FOR REVIEW OF A PLAN FOR)	
PROVIDING INTRALATA TOLL DIALING PARITY IN)	
ACCORDANCE WITH FEDERAL COMMUNICATIONS)	
COMMISSION REQUIREMENTS)	
(FILED FEBRUARY 19, 2004))	

FINDINGS AND ORDER NO. 6412

AND NOW, to-wit, this 18th day of May, 2004, the Public Service Commission ("PSC" or the "Commission") makes the following findings, determination, and Order:

1. On February 19, 2004, WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications ("WorldxChange"), filed with the Commission an application for a Certificate of Public Convenience and Necessity ("CPCN") to allow it to provide local exchange telecommunications services within Delaware. WorldxChange has also filed an illustrative tariff setting forth the terms and conditions for its proposed services and its proposed dialing parity plan; and

2. Public notice of the application, including a period for filing objections, was published in The News Journal newspaper on February 27, 2004 and the Delaware State News newspaper on March 2, 2004. No comments nor objections to the application have been received. The Commission Staff reports that WorldxChange has shown that it has the

financial, technical, and managerial capabilities as required for a certificate as set forth in the Commission's "Rules for the Provision of Telecommunications Services."¹ On October 6, 2000, WorldxChange filed a performance bond in the amount of Ten Thousand Dollars (\$10,000), with corporate surety licensed to do business in Delaware in its intrastate telecommunications filing. A Ten Thousand Dollar (\$10,000) performance bond is a requirement of PSC Order No. 5833 in PSC Regulation Dockets Nos. 10 and 45; and

3. The Commission determines that a conditional CPCN should be granted to WorldxChange authorizing it, as a public utility, to offer local exchange telecommunications services under the provisions of the Commission's "Rules for the Provision of Telecommunications Services;"

Now, therefore, **IT IS ORDERED:**

1. That, pursuant to 26 Del. C. §§ 203A and 703(3) and the Commission's "Rules for the Provision of Telecommunications Services," a conditional Certificate of Public Convenience and Necessity is granted to WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, to operate as a public utility and provide local exchange telecommunications services as described in the application filed on February 19, 2004.

2. That WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, shall provide local exchange telecommunications services in the manner required by the Commission's "Rules for the Provision of Telecommunications Services," and shall, at all times, comply with all

¹Adopted in PSC Order No. 5833 (eff. Dec. 10, 2001).

applicable provisions of such Rules. WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, shall also file all returns and pay all assessments and fees as may be required by the provisions of 26 Del. C. §§ 114 and 115.

3. That the Certificate is awarded upon, and subject to, the following conditions:

- (a) That ten (10) days prior to the date WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, intends to offer and implement local exchange telecommunications services, WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, shall file a tariff or price list with rules, regulations, terms, and conditions of service specifically adopted for Delaware; and
- (b) That WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, has a Commission approved interconnection agreement or a filed opt-in agreement between WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, and Verizon Delaware Inc., or another certificated local exchange carrier.

4. That the intraLATA toll dialing parity plan filed by WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, is approved with the modification expressed in Staff's recommendation in their May 8, 2004 memorandum. The Commission reserves the right to revisit the approval granted here if changed circumstances or complaints (from either consumers or competitors) raise concerns that "real world" implementation of the intraLATA toll dialing parity plan of WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, does not allow for customers to exercise informed choice in the selection of an intraLATA toll carrier.

5. That the provisions of 26 Del. C. § 208(b) are waived, and WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, is authorized to maintain its books and records relating to its Delaware operations outside of the State of Delaware provided, however, and upon the condition that, all such books and records relating to Delaware operations as the Commission may deem it reasonably necessary from time to time, to review and copy, shall be provided to the Commission at the Commission's Office within the State of Delaware in a timely manner upon written request by the Commission's Chief of Technical Services or Executive Director. The conduct of such a review at a location other than Delaware shall be at the Applicant's expense.

6. That WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, shall comply with all state and federal statutes and rules relating to a customer's selection of a preferred carrier of

telecommunications services. WorldxChange Corp., d/b/a Acceris Communications Solutions, d/b/a Acceris Communications Partners, and d/b/a Acceris Local Communications, agrees to pay all fees, assessments, penalties, and allowed damages arising from a violation of such state and federal statutes or rules pertaining to the selection of a preferred carrier.

7. That a violation of the "Rules for the Provision of Telecommunications Services" may result in suspension or revocation of this Certificate.

8. That the Commission reserves the jurisdiction and authority to enter such further Orders in this proceeding as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae
Chair

/s/ Joshua M. Twilley
Vice Chair

/s/ Joann T. Conaway
Commissioner

/s/ Donald J. Puglisi
Commissioner

ATTEST:

/s/ Jaymes B. Lester
Commissioner

/s/ Karen J. Nickerson
Secretary